

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**William Scott Kalna
Suzanne E Kalna**
Debtor(s)

Bankruptcy Case No.: 18-21518-CMB
Issued Per Aug. 20, 2018 Proceeding
Chapter: 13
Docket No.: 33 - 13
Concil. Conf.: December 6, 2018 at 02:00 PM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated April 27, 2018 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Dec. 6, 2018 at 02:00 PM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: LoanDepot.Com at Claim No. 18; Westmoreland County Tax Claim Bureau at Claim No. 22 .
- ☒ H. Additional Terms: The secured claim of Wells Fargo Bank at Claim No. 13 shall govern as to claim amount, to be paid at the modified plan terms.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.


B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.


Carlota M. Böhm, Judge
United States Bankruptcy Court

Dated: August 24, 2018

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 William Scott Kalna
 Suzanne E Kalna
 Debtors

Case No. 18-21518-CMB
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: jhel
 Form ID: 149

Page 1 of 2
 Total Noticed: 38

Date Rcvd: Aug 24, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 26, 2018.

db/jdb
 14867479 +William Scott Kalna, Suzanne E Kalna, 60 Strikertown Road, West Newton, PA 15089-1805
 14865852 +Bank of America, N.A., P O Box 982284, El Paso, TX 79998-2284
 14815244 Capital One, N.A., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
 14815243 +Chase Card Services, Attn: Correspondence Dept, Po Box 15298, Wilmington, DE 19850-5298
 14815245 +Chase Card Services, Attn: Correspondence, Po Box 15278, Wilmington, DE 19850-5278
 14861364 +Citibank, Citicorp Credit Svcs/Centralized Bankrup, Po Box 790040,
 St. Louis, MO 63179-0040
 14866940 +Citibank, N.A., Citibank, N.A., 701 East 60th Street North, Sioux Falls, SD 57104-0493
 Directv, LLC, by American InfoSource LP as agent, PO Box 5008,
 Carol Stream, IL 60197-5008
 14870570 +LoanDepot.com, LLC, c/o Cenlar FSB, 425 Phillips Blvd, Ewing, NJ 08618-1430
 14815250 +PNC Bank, Attn: Bankruptcy Department, Po Box 94982: Mailstop Br-Yb58-01-5,
 Cleveland, OH 44101-4982
 14871335 +PNC Bank, National Association, PO Box 94982, Cleveland, OH 44101-4982
 14815254 Target, Target Card Services, Mail Stop NCB-0461, Minneapolis, MN 55440
 14815255 +TekCollect Inc, Po Box 1269, Columbus, OH 43216-1269
 14815257 +Visa Dept Store National Bank/Macy's, Attn: Bankruptcy, Po Box 8053, Mason, OH 45040-8053
 14866246 Wells Fargo Bank N.A., d/b/a Wells Fargo Dealer Se, P.O. BOX 19657, IRVINE, CA 92623-9657
 14815258 +Wells Fargo Dealer Services, Attn: Bankruptcy, Po Box 19657, Irvine, CA 92623-9657
 14815259 +Westmoreland County Tax Claim Bureau, 2 North Main Street, Suite 406,
 Greensburg, PA 15601-2417
 14883093 +Westmoreland County Tax Claim Bureau, 40 N. Pennsylvania Avenue, Suite 109,
 Greensburg, PA 15601-2341

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14856072 E-mail/Text: WFB.Bankruptcy@cabelas.com Aug 25 2018 01:33:57 CAPITAL ONE BANK (USA), N.A.,
 CABELA'S CLUB VISA, PO BOX 82609, LINCOLN, NE 68501-2609
 14815242 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Aug 25 2018 01:40:48 Capital One,
 Attn: General Correspondence/Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
 14849277 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Aug 25 2018 01:40:50
 Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083
 14815246 +E-mail/Text: Bk@c2cfsi.com Aug 25 2018 01:33:11 Coast to Coast Financial Solutions,
 Attn:Bankruptcy, 101 Hodencamp Rd Ste 120, Thousand Oaks, CA 91360-5831
 14815247 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Aug 25 2018 01:32:48 Comenitybank/catherine,
 Po Box 182789, Columbus, OH 43218-2789
 14815248 +E-mail/Text: bnckohlsnotices@becket-lee.com Aug 25 2018 01:32:36 Kohls/Capital One,
 Kohls Credit, Po Box 3120, Milwaukee, WI 53201-3120
 14815249 +E-mail/Text: bknotification@loandepot.com Aug 25 2018 01:33:53 Loandepo.co,
 26642 Towne Center Dr., Foothill Ranch, CA 92610-2808
 14816409 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Aug 25 2018 01:40:30
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 14818703 E-mail/Text: RVSVCBICNOTICE1@state.pa.us Aug 25 2018 01:33:00
 Pennsylvania Department of Revenue, Bankruptcy Division PO Box 280946,
 Harrisburg, PA 17128-0946
 14868036 E-mail/Text: bnc-quantum@quantum3group.com Aug 25 2018 01:32:52
 Quantum3 Group LLC as agent for, Comenity Bank, PO Box 788, Kirkland, WA 98083-0788
 14862919 E-mail/Text: bnc-quantum@quantum3group.com Aug 25 2018 01:32:52
 Quantum3 Group LLC as agent for, MOMA Funding LLC, PO Box 788, Kirkland, WA 98083-0788
 14857361 E-mail/Text: appebnmailbox@sprint.com Aug 25 2018 01:33:03 Sprint Corp,
 Attention Bankruptcy, PO Box 7949, Overland Park, KS,66207-0949
 14815251 +E-mail/PDF: gecsedirecoverycorp.com Aug 25 2018 01:41:09 Synchrony Bank/Old Navy,
 Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
 14815252 +E-mail/PDF: gecsedirecoverycorp.com Aug 25 2018 01:40:31 Synchrony Bank/TJX,
 Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
 14815253 +E-mail/PDF: gecsedirecoverycorp.com Aug 25 2018 01:40:47 Synchrony Bank/Walmart,
 Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
 14867114 +E-mail/Text: bncmail@w-legal.com Aug 25 2018 01:33:21 TD Bank USA, N.A.,
 C O WEINSTEIN & RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132
 14815256 +E-mail/Text: wfmelectronicbankruptcynotifications@verizonwireless.com Aug 25 2018 01:32:28
 Verizon, Attn: Wireless Bankruptcy Admin, 500 Technology Dr Ste 500,
 Weldon Springs, MO 63304-2225
 14865360 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Aug 25 2018 01:41:19 Verizon,
 by American InfoSource LP as agent, PO Box 248838, Oklahoma City, OK 73124-8838
 14825315 +E-mail/Text: bankruptcy@firstenergycorp.com Aug 25 2018 01:33:15 West Penn Power,
 5001 NASA Blvd, Fairmont, WV 26554-8248
 14815260 +E-mail/Text: WFB.Bankruptcy@cabelas.com Aug 25 2018 01:33:57 Worlds Foremost Bank N,
 Attn: Bankruptcy, 4800 Nw 1st St, Lincoln, NE 68521-4463

TOTAL: 20

District/off: 0315-2

User: jhel
Form ID: 149

Page 2 of 2
Total Noticed: 38

Date Rcvd: Aug 24, 2018

***** BYPASSED RECIPIENTS (continued) *****

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr LoanDepot.com, LLC
14815241 Bankamerica
cr* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021

TOTALS: 2, * 1, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 26, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 24, 2018 at the address(es) listed below:

Corey J. Sacca on behalf of Joint Debtor Suzanne E Kalna csacca@bononilaw.com,
coreysacca@gmail.com;bankruptcy@bononilaw.com;bononiecmail@gmail.com;r39887@notify.bestcase.com
Corey J. Sacca on behalf of Debtor William Scott Kalna csacca@bononilaw.com,
coreysacca@gmail.com;bankruptcy@bononilaw.com;bononiecmail@gmail.com;r39887@notify.bestcase.com
James Warmbrodt on behalf of Creditor LoanDepot.com, LLC bkgroup@kmlawgroup.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteewdpa.com

TOTAL: 5